

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re D. DUSTIN

Case No. [23-cv-06078-JST](#)

ORDER OF DISMISSAL

On or about November 22, 2023, the Court docketed a 4-page handwritten document received from Plaintiff. ECF No. 1. Because Plaintiff sought relief from this Court, the Court opened an action pursuant to this filing. That same day, the Court sent Plaintiff deficiency notices, instructing Plaintiff that he was required to file, within twenty-eight days, (1) a complaint on a complaint by a prisoner form, and (2) an *in forma pauperis* application. ECF Nos. 2, 3. The deadline to file these documents has passed, and Plaintiff has not filed the required documents or otherwise communicated with the Court. This action cannot proceed without a complaint on the proper form and either the filing fee or an *in forma pauperis* application. Accordingly, this action is **DISMISSED** for failure to file a complaint on the proper form and for failure to either pay the filing fee or file an *in forma pauperis* application. The dismissal is without prejudice to Plaintiff filing a motion to reopen the action. Any motion to reopen must be accompanied by a complaint on the proper form and either the filing fee or an *in forma pauperis* application.

IT IS SO ORDERED.

Dated: March 7, 2024



JON S. TIGAR
United States District Judge